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**OFFICE OF PETITIONS**

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In re Application of  
Riedel, et. al.  
Application No. 10/728,570  
Filed: December 5, 2003  
Attorney Docket No. 18021-6226

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:  
: DECISION ON REQUEST  
: TO WITHDRAW FROM  
: RECORD  
:

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed on March 16, 2006.


The request is **NOT APPROVED**.


The Office cannot approve the request at this time since the reasons provided do not meet any of the conditions under the mandatory or permissive categories enumerated in 37 CFR 10.40. Section 10.40 of Title 37 of the Code of Federal Regulation states, "[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]" More specifically, 37 CFR 10.40 states, "[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matter pending before the Office unless such request or such withdrawal is" for one the permissive reasons listed in 37 CFR 10.40(c). The reasons set forth in the request, "instructions from the assignee to transfer this application to new counsel", does not meet any of the conditions set forth in 37 CFR 10.40.

Further, it is noted that Alan C. Gordon signed the request on behalf of all attorneys/agents associated with Customer No. 33123. However, David A. Hall, Stephanie Seidman and Dale L. Rieger currently have power of attorney in this application, but are not listed as attorneys/agents under Customer No. 33123. Since they were omitted, it is unclear whether or not the individuals listed above should be withdrawn or retain power.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (571) 272- 3226.

  
Andrea Smith  
Petitions Examiner  
Office of Petitions

Conferee: 

cc: David A. Hall  
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